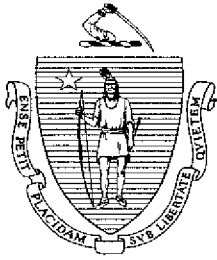


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DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

October 27, 2011

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 97 of House Bill No. 3737, "An Act Making Appropriations for Fiscal Years 2011 and 2012 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

Section 97 establishes a special commission to study the use of electronic benefit transfer cards by recipients of public benefits. I do not object to this purpose.

The proposed commission, however, does not include representatives of affected constituencies, including merchants and recipients. I believe that including those representatives would benefit the commission's consideration of this matter.

Therefore, I recommend that Section 97 be amended by striking out the text and inserting in place thereof the following text:-

SECTION 97. Notwithstanding any general or special law to the contrary, there shall be a special commission to study and report on the use of electronic benefit transfer, or EBT, cards. The commission shall consist of the commissioner of transitional assistance, or a designee; the inspector general, or a designee; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority leader; a representative of

the Retailers Association of Massachusetts; and a representative of the interests of benefit recipients appointed by the governor. The scope of the commission shall include, but not be limited to, researching and evaluating the following: the use of EBT cards for the purchase of products other than those products for which they are intended to be used, such as firearms, tobacco, lottery tickets and alcohol; the frequency and location of out-of-state card use; the in-state stores where cards are used; the proportion of one month's EBT cash assistance that is withdrawn from ATM machines rather than used in stores to directly purchase products; and the costs associated with requiring the department to include, on the front of each newly issued, re-issued and existing EBT cards, a photograph of the cardholder. The commission shall research, assess and develop recommendations regarding the best method of preventing the inappropriate use of EBT cards, including implementing a monthly limit to the amount of EBT cash assistance that a recipient of cash assistance can withdraw from ATMs and the feasibility of prohibiting the purchase of certain items by restricting the ability of EBT cards to be used in purchasing those items. The commission shall also study and research the implementation of requiring stores to apply to accept EBT cards. The commission shall submit a final report of its findings and recommendations, together with drafts of legislation necessary to implement those recommendations, by filing the same with the clerks of the senate and house not later than April 1, 2012.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David F. Atkins", is written over a large, stylized, loopy flourish that starts with a large circle on the left and extends to the right.